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## TO BE FILED UNDER SEAL

December 1, 2019

### BY ECF AND EMAIL

The Honorable Joan M. Azrack  
United States District Judge  
Eastern District of New York  
100 Federal Plaza  
Central Islip, N.Y. 11722

Re: *United States v. Christopher McPartland, et al.*, 17-cr-0587 (JMA)

Dear Judge Azrack:

We submit this letter on behalf of the defendants Christopher McPartland and Thomas Spota, in response to the government's letter, submitted at 9:52 p.m. this evening, seeking to limit cross-examination of James Hickey concerning the underlying facts of a criminal case, *People v. Erroll Freeman*, in which the Court made adverse credibility findings concerning Hickey, and two unsubstantiated allegations in a related Suffolk County Police Department Internal Affairs Bureau case.

Pursuant to the parties' prior communications on this topic over the weekend, we understood that this issue would be addressed at sidebar tomorrow morning at 9:15 a.m. We will in fact be prepared to address at that time why the government's submission should be denied in part. In addition, we have enclosed, for the Court's convenience, the transcript setting forth the *Freeman* court's decision in that case, which is the subject of a portion of the government's application and the contents of which are relevant to the defendants' anticipated response.

We thank the Court for its consideration of this matter.

Respectfully submitted,

  
Alan Vinegrad

Enclosure

cc (by e-mail): all counsel of record